



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGIONS 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590



**AUG 21 2006**

REPLY TO THE ATTENTION OF:

Lindsay Light II Site  
05YT/OU 06

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Tronox, Inc.  
c/o The Corporation Company  
Registered Agent  
120 North Robinson, Suite 735  
Oklahoma City, OK 73102

RE: General Notice of Potential Liability/  
Presence of Lindsay Light II Offsite Contamination  
and Demand Letter  
Lindsay Light II Site-Operable Unit 06  
Chicago, Illinois Site # 05YT

Dear Sir or Madam:

This letter is issued in connection with the above-referenced Site. The letter serves two basic functions. First, it notifies you of potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). Second, this letter provides general and site-specific information to assist you in the process of resolving your liability.

**NOTICE OF POTENTIAL LIABILITY**

The United States Environmental Protection Agency ("U.S. EPA") has been, and will be, conducting response actions to address contamination at the Lindsay Light II Site-OU 06 in Chicago, Illinois. U.S. EPA took these actions under authority of CERCLA 1980, 42 U.S.C. §9601 *et seq.*, as subsequently amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499. Prior to undertaking these response actions, U.S. EPA determined that there was a release or threatened release of hazardous substances from the Lindsay Light II Site-OU 06 Site. The U.S. EPA undertook the response actions using monies authorized by CERCLA, as amended.

Because of the conditions described above, U.S. EPA believed that the response activities conducted at the Site be initiated as quickly as possible. Therefore, U.S. EPA did not utilize the special notice procedures available under Section 122(e) of CERCLA.

Response costs associated with this Site have been incurred by U.S. EPA. The approximate U.S. EPA response costs identified up to June 30, 2006, for the above- referenced Site are \$51,535.59. A summary is enclosed.

Information available to U.S. EPA indicates among other things that you are potentially responsible for the release, or threat of release of hazardous substances from the Site. Pursuant to the provisions of Section 107(a) of CERCLA, as amended, and based on evidence currently available to the Agency, U.S. EPA believes that you may be liable for the payment of all costs incurred by U.S. EPA in connection with the Site. The potentially responsible parties ("PRPs") are jointly and severally liable for the whole amount. Partial payments will not release the payor of liability for payment of the rest of the costs that are owed to U.S. EPA. Limiting language on the check or in accompanying letters will be considered to be advisory only and will not be considered as placing conditions on the amount paid or as limiting liability on other costs demanded in this letter.

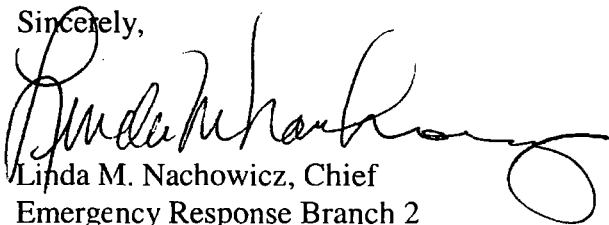
Such payment must be made by a cashier's or certified check made payable to the "U.S. EPA Hazardous Substance Superfund," which is established by the Internal Revenue Code, 26 U.S.C. §9507, and administered by U.S. EPA. Please send your check to U.S. Environmental Protection Agency, Region 5, P.O. Box 371531, Pittsburgh, Pennsylvania, 15251-7531. Place the following Site Identification Number on the check: 05YT. Please send a copy of your payment check to Ross Del Rosario, Acting Chief, Emergency Enforcement Services Section (SE-5J), U.S. EPA, Region 5, Superfund Division, 77 West Jackson Boulevard, Chicago, Illinois 60604, and to U.S. EPA, Office of Regional Counsel, (C-14J), at the above mentioned address.

We hereby demand that you make restitution by payment of the amount in this letter expended by the Agency in connection with the Site pursuant to authority of CERCLA, as amended. Pursuant to Section 107(a) of CERCLA, as amended, interest shall begin accruing as of the date of this demand, if payment is not received within thirty (30) days of the date of this letter.

If you desire to discuss your liability with U.S. EPA, please contact Mary Fulghum, Associate Regional Counsel, in writing not later than fifteen (15) days after the date of this letter. Ms. Fulghum may also be reached by phone at (312) 886-4683.

If we do not receive a response from you within this time frame, the U.S. EPA will assume that you have declined to reimburse the Fund for the Site expenditures, and pursuant to CERCLA, as amended, U.S. EPA may pursue civil litigation against you to recover all of its costs, with interest.

Sincerely,



Linda M. Nachowicz, Chief  
Emergency Response Branch 2

## Enclosure

CC: Kerr-McGee Chemical LLC  
c/o John T. Smith II, Esq.  
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bcc: Mary Fulghum, ORC (C-14J)  
Cathy Martwick, ORC (C-14J)  
Verneta Simon, OSC (SE-5J)  
Gene Jablonowski, FFRS (SR-6J)  
John Maritote, EESS (SE-5J)  
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Records Center (SMR-7J)